

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

In re

Lek Milicaj

Debtor

Case No. 22-44862

Chapter 13

Judge: Mark A. Randon

**OBJECTION TO PROOF OF CLAIM OF MICHIGAN
DEPARTMENT OF TREASURY (PACER CLAIM 17-1)**

Debtor, Lek Milicaj, file this Objection to Proof of Claim of Michigan Department of Treasury (Pacer Claim 17-1), and say:

1. The Proof of Claim asserts that Debtor has unfiled tax returns for the years 2019 and 2020.
2. Debtor has filed all required returns for 2019 and 2020 and has provided to the Department of Treasury documents confirming the timely filing of those returns.
3. The Proof of Claim incorrectly asserts unfiled tax returns and overstates any liabilities. Accordingly, the Proof of Claim must be disallowed.

WHEREFORE, Debtor, Lek Milicaj, requests that this Court enter its Order disallowing the Proof of Claim of the Michigan Department of Treasury (Pacer Claim 17-1), and directing such further proceedings as the Court deems appropriate under the circumstances.

Respectfully Submitted,

DATED: June 28, 2023

OSIPOV BIGELMAN, P.C.

/s/ Thomas D. DeCarlo
Thomas D. DeCarlo (P65330)
Attorneys for Trustee / Plaintiff
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Southfield, MI 48076
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

In re

Lek Milicaj

Debtor
_____ /

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Chapter 13

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(PROPOSED)

**ORDER SUSTAINING OBJECTION TO PROOF OF CLAIM OF
MICHIGAN DEPARTMENT OF TREASURY (PACER CLAIM 17-1)**

THIS MATTER came before the Court on Debtor's, Lek Milicaj, Objection to Proof of Claim of the Michigan Department of Treasury (Pacer Claim 17-1). The Certificate of Service indicates that the Objection was served with the Notice of Objection to Claim in accordance with the Local Bankruptcy Rules. The deadline for a response to the Objection has filed and no objection has been timely filed or served.

IT IS THEREFORE ORDERED that the Debtor's Objection to Proof of Claim of Michigan Department of Treasury (Pacer Claim 17-1), is SUSTAINED. The Proof of Claim of Michigan Department of Treasury (Pacer Claim 17-1), is disallowed.

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

In re

Case No. 22-44862

Chapter 13

Lek Milicaj

Judge: Mark A. Randon

41237 Dortmund Drive
Clinton Township, MI 48035

SSN: xxx-xx-8175

Debtor
_____ /

NOTICE OF OBJECTION TO CLAIM OF MICHIGAN DEPARTMENT OF TREASURY (PACER CLAIM 17-1)

Debtor, Lek Milicaj, has filed an objection to the claim of the Michigan Department of Treasury (Pacer Claim 17-1) in this bankruptcy case.

Your claim may be reduced, modified or disallowed. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to deny or change your claim, then on or before August 9, 2023, you or your lawyer must:

1. File with the court a written response to the objection, explaining your position, at:

U.S. Bankruptcy Court
211 W. Fort Street, Suite 2100
Detroit, MI 48226

If you mail your response to the court for filing, you must mail it early enough so that the court will **receive** it on or before the date stated above. All attorneys are required to file pleadings electronically.

You must also mail a copy to:

Osipov Bigelman PC, 20700 Civic Center Drive Suite 420, Southfield, MI 48076-0000
Krispen Carroll, Trustee, 719 Griswold, Suite 1100, Detroit, MI 482226

2. Attend the hearing on the objection, scheduled to be held on **August 16, 2023**, at 9:00 a.m., in Courtroom 1975, United States Bankruptcy Court, 211 W. Fort Street, Detroit, Michigan, unless your attendance is excused by mutual agreement between yourself and the objector's attorney. (Unless the matter is disposed of summarily as a matter of law, the hearing shall be a pre-trial conference only; neither testimony nor evidence will be

received. A pre-trial scheduling order may be issued as a result of the pre-trial conference.)

Note: Effective beginning April 12, 2022, with the exception of trials in adversary proceedings, and evidentiary hearings in contested matters, all conferences and hearings in cases pending before Judge Oxholm will be conducted by telephone. At least five minutes before the scheduled time for hearing, counsel and parties should call (888) 336-4734 and use Access Code 2795304. Landline connections are much preferred, but cell phone or other telephone services are allowed. Counsel and parties should place their phone on mute and wait until their case is called.

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim, in which event the hearing will be canceled, and the objection sustained.

Dated: June 28, 2023

/s/ Thomas D. DeCarlo
THOMAS D. DeCARLO (P65330)
Attorney for Debtor
20700 Civic Center Drive, Ste. 420
Southfield, MI 48076
Tel: (248) 663-1800/Fax: (248) 663-1801
tdd@osbig.com

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**CERTIFICATE OF SERVICE OF DEBTOR'S OBJECTION TO PROOF OF
CLAIM OF MICHIGAN DEPARTMENT OF TREASURY (PACER CLAIM 17-1)**

I hereby certify that on June 28, 2023, I electronically filed Debtor's Objection to the Proof of Claim of Michigan Department of Treasury (Pacer Claim 17-1) and Certificate of Service with the Clerk of the Court using the ECF system which will send notification of such filing to all parties on the Court's ECF service list.

The following parties were served via First Class Mail at the addresses below by depositing same in a United States Postal Box with the lawful amount of postage affixed thereto:

Michigan Department to Treasury
Bankruptcy Unit
PO Box 30168
Lansing, MI 48909

Michigan Department of Treasury
Attn: Rachael Eubanks, Treasurer
430 West Allegan Street
Lansing, MI 48933

OSIPOV BIGELMAN, P.C.

Date: June 28, 2023

/s/ Thomas D. DeCarlo
THOMAS D. DeCARLO (P65330)
Attorney for Debtor
20700 Civic Center Drive, Ste. 420
Southfield, MI 48076
Tel: (248) 663-1800/Fax: (248) 663-1801
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